

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

BY: Laura Loera
DEPUTY

MANUEL GUADIAN,

Plaintiff,

V.

DEBTBLUE, LLC, a Texas Limited Liability Company, **NATIONAL LITIGATION LAW GROUP, LLP** an Oklahoma Limited Liability Partnership, and **COUNCIL LAW GROUP, PLLC**, a Texas Professional Limited Liability Company
Defendants.

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Case No. 3:23-cv-00329-KC

PLAINTIFF'S RESPONSE TO DEFENDANTS' SUBMISSION OF EVIDENCE

Comes Now Plaintiff Manuel Guadian with his response to Defendants DebtBlue, LLC (DebtBlue), National Litigation Law Group, LLP (NLLG), and Council Law Group, PLLC's (CLG) (collectively altogether "Defendants") Submission of Evidence ("SOE") and will state and show as follows:

In Defendants' SOE, Defendants assert that Plaintiff visited the website <https://reliefandrepair.live/form.php> and submitted an online form under the name "Mallory Pena" requesting services for debt relief. On Defendants' Exhibit 1, in the SEO the geographic location shown for the webform submitted shows El Dorado, California, United States. Plaintiff has never been to the website <https://reliefandrepair.live/form.php> or has never been to El Dorado, California in his lifetime. Plaintiff does not know or is not associated to a person by the name of "Mallory Pena". In Defendants' SOE there is a Declaration provided by Defendant Debt Blue's Chief Marketing Officer, Mr. Jeff DeLarge. The phone call between Plaintiff and Debt Blue's sales specialist Maria that Mr. DeLarge explains in his Declaration is the same phone call

that Plaintiff alleges in his First Amended Complaint (“FAC”) FAC ¶ 77-88. Mr. DeLarge leaves out a vital element where the telemarketer from Empower live transfers Plaintiff to Maria. During this call with Maria, Plaintiff does in fact advise Maria that Plaintiff is interested in the debt relief program for the sole purpose of identifying and confirming who was responsible for the alleged phone calls FAC ¶ 87. The discovery stage has yet to be completed and Plaintiff requests the Court to at least allow the benefit of discovery in order to ascertain the relationship between Defendants’ and Empower that placed the phone calls on behalf of all Defendants’.

February 6, 2024,

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Manuel Guadian', with a stylized, cursive script.

Manuel Guadian
Plaintiff, Pro Se
3805 Tierra Fiji Ln
El Paso, Texas 79938
915-251-6018
maguadianjr@gmail.com

Certificate of Service

I, Manuel Guadian do hereby certify and affirm that a true and accurate copy of the foregoing document was submitted electronically to all counsel on record at:

dwalton@bellnunnally.com
chelm@bellnunnally.com

February 6, 2024,

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M Guadian'.

Manuel Guadian
Plaintiff, Pro Se
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